

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

LARRY HOLMBERG,

Civil No. 11-0538 (JRT/LIB)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

ADIRONDACK OPTICS, INC.,

Defendant.

Carolyn Eckart and David Fairbairn, **KINNEY & LANGE, PA**, 312 South Third Street, Minneapolis, MN 55415, for plaintiff.

Terry Gordon, 1512 Front Street, Keeseville, NY 12944, for defendant.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Leo I. Brisbois, dated August 29, 2011 [Docket No. 11]. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein, **IT IS HEREBY ORDERED** that the Clerk of Court strike the Answer of the Defendant Adirondack Optics [Docket No. 2].

Dated: September 19, 2011
at Minneapolis, Minnesota

s/ John R. Tunheim
JOHN R. TUNHEIM
United States District Judge